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February 8, 2008

VIA TELEFAX AND ECF - 212-805-6382

Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Fortis Corporate Insurance a/s/o Empire Resources, Inc. v.
Total Quality Logistics, Hills Trucking, Inc.
Index No.: 07 Civ. 3731 (VM)
Our Ref.: 07-E-002-RB/LS

Dear Judge Marrero:

We represent plaintiff in the above-captioned matter.

We write to oppose any adjournment of the Case Management Conference currently scheduled for **February 15, 2008 at 10:15 a.m.**

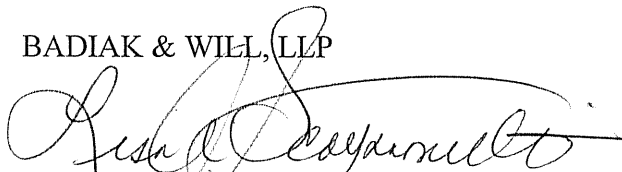
Plaintiff will file an opposition to defendants' Motion to Stay this action which will demonstrate that there are no grounds to seek such relief and, further that plaintiff would be severely prejudiced by staying this action. As will be shown in plaintiff's opposition papers, plaintiff is not a party to the Tennessee proceeding, nor is there an identity of issues between this litigation and the Tennessee mediation.

Plaintiff, therefore, respectfully requests that defendants' request to adjourn the conference be denied.

We thank the Court for its kind attention to this matter.

Respectfully submitted,

BADIAK & WILL, LLP



LISA A. SCOGNAMILLO

LAS/lmw

cc: See List Below

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